IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 2097 OF 1992

1. Kantilal Gopal Pol
   R/o Toranagar,Opp. Shahpur
   Karwan Wood Depot, Tal. Hatkanangale

2. Prabhakar Pandurang Joshi
   Major of Ward No.4,
   House No. 27, Ichalkaranji

3. Bandu Annappa Bargale
   No.9, House No. 36, Saraswati
   Market, Ichalkaranji ..Petitioners

V/s

1.Kumar Nayaku Powar, Major of
Of Khotwadi under Tardal
Tal Hatkanangale

2.Smt. chabutai Dadu Powar, Major
of Kurundwad, Tal Shirol

3.Bhau Balu Powar, Major of
Khotwadi under Tardal
Tal. Hatkanangale

4. Sakharam Balu Powar,
   Major of Khotwadi Under Tardal,
   Tal Hatkanangale

All represented by their Power of
Attorneyholder Satish Vasantrao
Salunkhe kof Ichalkaranji
Tal Hatkangale Dist. Kolhapur. ..Respondents.

Mr. V.S. Gokhale with Mr. B.P.Apte for the petitioners.
Mr. Sanjay Prabhu with Mr. A.V. Bandivadekar for the respondents.

CORAM : D.G.DESHPANDE, J.
DATE : 13TH SEPTEMBER, 2006.

ORAL ORDER

. Heard Advocates for the petitioners and respondents.

2. 4th Additional District Judge, Kolhapur passed an order on 31st March, 1992 allowing the appeal filed before him and granted the temporary injunction to the plaintiff against defendant No.1. By this temporary injunction defendant No.1 was restrained from making construction in the suit property till disposal of the suit. The parties were directed to remain present in the lower Court on 27th April 1992. This petition came to be admitted on 17th June, 1992 and interim relief in terms of prayer clause (b) was granted. That was stay to the operation of the impugned order.

2. Both Advocate state that since the date of admission and interim relief in 1992 the suit is pending. There is no point in deciding the issue of injunction order after 14 years and therefore this ad interim order should be continued and the trial Courts should be directed to decide the suit as expeditiously as, within 4 months, if it is not already disposed of. Accepting this suggestion by both advocates, I pass the following order.

4. The Writ Petition is disposed of. The stay granted by this Court to the impugned order of the Appellate Court on 31st March, 1992 to continue for a period of 4 months (i.e. till the disposal of the suit) from the date of first appearance of the parties before the trial Court. The parties are directed to appear before the trial Court on 3rd October, 2006 at 11 a.m. i.e. Civil Judge, J.D. Ichalkaranji along with certified copy of this order. The trial Court shall decide and dispose of the suit within 4 months, if not already disposed of, from the date of appearance. Further clarified, by consent that in the meantime, no third party interest be created by either parties.

(D.G.DESHPANDE, J.)